

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1475 - SB 1321

March 10, 2019

SUMMARY OF BILL: Creates a Class E felony offense for a law enforcement officer, with the intent to obstruct justice, to turn off, disable, failing to turn on, or operate a law enforcement recording device, including a law enforcement body camera, in any manner that prevents the creation of evidence.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – \$3,400 Incarceration*

Assumptions:

- The proposed legislation will result in one Class E felony admission every 10 years.
- The average time served for a Class E felony is 1.28 years.
- Population growth and recidivism will not impact these admissions.
- According to the DOC, the average operating cost per offender per day for calendar year 2019 is \$73.18.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender admitted every 10 years serving an additional 1.28 years (467.52 days) for an annualized increase in state incarceration expenditures of \$3,421 [(\$73.18 x 467.52) / 10].
- Any impact to the court system is estimated to be not significant.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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